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Committee on Economic, Social and Cultural Rights
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Summary record of the 2nd meeting
Held at the Palais Wilson, Geneva, on Monday, 12 March 2018, at 3 p.m.

Chair: Ms. Bras Gomes

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The meeting was called to order at 3 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

Combined fifth and sixth periodic reports of Mexico (E/C.12/MEX/5-6; E/C.12/MEX/Q/5-6 and E/C.12/MEX/Q/5-6/Add.1)

1. *At the invitation of the Chair, the delegation of Mexico took places at the Committee table.*

2. **Mr. Ruiz Cabañas** (Mexico) said that his Government appreciated the understanding the Committee had shown in agreeing to reschedule the review of the report of Mexico following the earthquake that had occurred in the country in September 2017.

3. Of the numerous structural reforms that had been implemented in Mexico since 2006, the most significant was the constitutional reform of 2011, which had accorded constitutional status to the international human rights treaties to which Mexico was a party and enshrined the obligation to apply all the provisions of the Constitution without discrimination. The Government was considering ratifying a number of other treaties, including the Optional Protocol to the Covenant and the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). Among the many other reforms aimed at driving inclusive and sustainable economic and social development was the adoption of the General Act on Forced Disappearances and the General Act on Torture. The Government wished to take the opportunity to highlight once again its condemnation of all acts intended to restrict the basic rights of human rights defenders or diminish the importance of their work.

4. The Mexican economy was the fifteenth largest in the world; however, the country still faced many challenges in terms of reducing economic inequalities between regions and social groups. Recent employment-related reforms had included improvements to mechanisms protecting female workers and workers belonging to vulnerable groups, increased representation and transparency in trade unions and structural changes to labour laws. Despite the difficult international economic climate, the number of jobs created in the formal sector since 2013 was expected to reach 4 million by the end of 2018.

5. In the area of social security and the right to an adequate standard of living, the People's Health Insurance Scheme had expanded its coverage to reach 53.5 million beneficiaries over the 12 years since its creation. The PROSPERA programme provided assistance to almost 7 million families in areas including income generation and access to education and employment. The jurisprudence of the federal courts sought to protect the family in all its forms. Since its implementation in 2013, the National Crusade against Hunger, which encompassed 65 federal social development programmes, had helped to reduce food shortages in the most disadvantaged parts of the country by 57.5 per cent.

6. In the area of education, the new education model published in early 2017 had been created following a participatory process that had gathered the views of more than 50,000 people. The new model would ensure that the authorities, teachers, families and society as a whole shared responsibility for educational processes and outcomes. Over the previous four years, national spending on education had risen by 9 per cent.

7. Given the country's diverse, multicultural society, the Government considered cultural rights a priority. Following the establishment of the Ministry of Culture in 2015, the General Act on Culture and Cultural Rights had been adopted in 2017 with the aim of ensuring access to cultural goods and services for all. Between 2013 and February 2018, 89 consultations had taken place in connection with development projects and constitutional and legal reforms affecting indigenous peoples.

8. While Mexico had made headway in ensuring the progressive fulfilment of economic, social and cultural rights, the Government recognized that greater efforts were required to overcome the challenges that remained in the areas of inequality, poverty and access to basic services.

9. **Mr. Mancisidor de la Fuente** (Country Rapporteur) said that, in the light of the alarming situation facing journalists and human rights defenders in the State party, he would appreciate information on the measures being taken to protect those groups, to counter attempts to discredit their work and to ensure that offences committed against them did not go unpunished. He also wished to hear about the improvements being made in the handling of cases involving government officials and about any plans to provide government officials with training in the areas of human rights and the importance of the work of those who defended them.

10. While the Committee welcomed the constitutional reforms in the State party, it would be useful to learn of any cases in which the rights enshrined in international treaties, particularly the Covenant, had been invoked before the courts and whether there had been any difficulties in implementing the resulting rulings. He urged the State party to take steps to ratify the Optional Protocol to the Covenant. It was unclear whether the protocol on the holding of consultations with indigenous peoples had legal status; if that was not the case, he wished to encourage the Government to elevate the protocol to the status of a law.

11. The Committee would be grateful for the delegation's assessment of whether the tax reforms that had been instituted in 2013 went far enough in ensuring that the State party could meet its obligation to use the maximum available resources to effect the full realization of Covenant rights. It would be interesting to hear about any further policies and reforms that were being developed in that regard. He also wished to learn whether the authorities had put in place a robust policy to tackle corruption and what the specific challenges were in that connection.

12. In the area of discrimination, he wished to hear about the policies that were in place to eradicate the de facto discrimination faced by the lesbian, gay, bisexual and transgender (LGBT) communities. The Committee would welcome the delegation's evaluation of the efforts being made to tackle domestic and gender-based violence, including countering cultural stereotypes and ensuring that cases of those forms of violence did not go unpunished.

The meeting was suspended at 3.30 p.m. and resumed at 3.35 p.m.

13. **Ms. Garrido** (Mexico) said that the recognition of the work of journalists and human rights defenders was a policy priority for the Government. The Mechanism for the Protection of Human Rights Defenders and Journalists was providing assistance to 270 journalists and 369 human rights defenders, 102 of whom worked in the area of economic, social and cultural rights. The President himself had asked for the support of state governors in protecting those groups; that request had resulted in initiatives such as the Contingency Plan, which had been instituted in Chihuahua and would be used as a model for other areas of the country.

14. **Ms. Martínez Ramírez** (Mexico) said that, following the constitutional reforms adopted in 2011, federal courts were able to directly invoke international treaties. The Constitution stipulated that all legislation must be in line with the international treaties to which the country was a party. At the federal level, 1,430 judges and magistrates had issued rulings on violations of the rights enshrined in the Covenant, including in the areas of social assistance, equality and non-discrimination and housing.

15. **Ms. Bonifaz Alfonzo** (Mexico) said that the Supreme Court had identified three overarching obligations that were incumbent on the State with regard to Covenant rights; namely, to protect the core content of each right, to realize rights progressively and to refrain from implementing retrogressive measures. The courts had made many direct references to the Covenant and had stressed the close relationship between respect for the dignity of the human person and the fulfilment of basic rights.

16. **Mr. Salazar Gil** (Mexico) said that the protocol on the holding of consultations with indigenous peoples contained guidelines only and was not a legal instrument. Its content was rooted in, inter alia, articles 1 and 2 of the Constitution and articles 6 and 7 of the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). The right to free, prior and informed consent was enshrined in many legal instruments, including the Planning Act, the General Act on the Linguistic Rights of Indigenous Peoples and the Hydrocarbons Act. The

guidelines allowed for flexibility in reaching agreement directly with indigenous peoples on the parameters of a particular consultation process. However, the lack of a specific regulatory framework sometimes impeded the inter-agency coordination that was required in consultation processes.

17. **Ms. Bonifaz Alfonzo** (Mexico) said that the Supreme Court had made it clear that the State had a duty to consult indigenous peoples not only in cases where there was concrete evidence of a negative impact on their rights, but also when there was the mere possibility of one. The Supreme Court had heard cases relating to tourism projects in Barrancas del Cobre, the Independencia Aqueduct in Sonora, the events that had occurred in the municipality of Cherán and the production of genetically modified soybean by Monsanto.

18. **Mr. Lara Cabrera** (Mexico) said that the tax reforms had been designed to ensure a more equal tax collection system, with changes in taxes on profits aimed at a progressive widening of the tax base. An additional aim of the reforms had been to align the spending budget with the goals of the 2030 Agenda for Sustainable Development.

19. **Mr. Ruiz Cabañas** (Mexico) said that the 2030 Agenda and the Sustainable Development Goals had been included in the basic criteria for the setting of the federal and state budgets. It was his understanding that Mexico was the only country in the world to have taken such a step. The National Council for the Implementation of the 2030 Agenda had been established via a presidential decree which the incoming administration would be duty-bound to honour. The initiative would mean that public sector bodies could fight for greater federal funding for promoting Covenant rights and that the legislature would be able to engage in wider dialogue, including with civil society, regarding budget priorities.

20. **Mr. Lara Cabrera** (Mexico) said that the national anti-corruption system was a wide-ranging institutional framework which included constitutional reforms and the introduction of new laws, as well as the establishment of a coordinating committee and a national audit committee. A five-member citizen participation committee had been tasked with ensuring that the relevant institutions complied with their obligations in the fight against corruption. Work was ongoing to establish local anti-corruption systems, ensure that adequate budgetary allocations were made and select candidates for strategic posts within the system.

21. **Ms. del Pino Pacheco** (Mexico) said that, since 2005, the National Council for the Prevention of Discrimination had been running a proactive campaign to combat homophobia and transphobia. One of the campaign's major initiatives was aimed at tackling the high levels of hate speech directed at LGBT persons on social media platforms. At an unprecedented high-level meeting in 2016, the President had issued instructions directing federal public administration bodies to promote recognition of the rights of LGBT persons. Accordingly, a series of protocols had been developed on the right of transgender persons to determine their own gender — a right which was currently recognized in three states — and on the right of LGBT and intersex persons to enjoy access to health services without discrimination. An additional protocol was being developed regarding gender reassignment. The National Electoral Institute had worked with the National Council for the Prevention of Discrimination to ensure that transgender persons did not face obstacles to voting.

22. **Ms. Bonifaz Alfonzo** (Mexico) said that same-sex marriage was recognized in 11 states. *Amparo* rulings by the Supreme Court and applications for constitutional review filed by the National Human Rights Commission had led to legislative amendments to ensure that same-sex couples were granted health insurance coverage by the Institute of Social Security and Social Services for State Employees.

23. **Ms. Martínez Ramírez** (Mexico) said that the federal courts had issued a number of *amparo* rulings in connection with name changes following gender reassignment, meaning that it had not been necessary for those cases to go before the Supreme Court. The majority of the 38 rulings issued in cases relating to the LGBT community and the more than 30,500 rulings issued in cases relating to gender equality and equality before the law had been enforced.

24. **Ms. Gastélum** (Mexico) said that Mexico was a pioneer in Latin America in terms of legislation to protect women from violence. Femicide had been made a stand-alone offence and its definition had been harmonized in the legislation of all 32 federative entities. The Equality Act had made it compulsory to include a gender perspective in budgets and to establish specific budget lines for the prevention of violence against women. The country had made great strides in the area of gender equality, an example being the fact that almost half of the representatives in the Chamber of Deputies were women.

25. **Ms. Quiroga** (Mexico) said that, under the General Act on Women's Access to a Life Free of Violence, the Gender Alert mechanism had been set up to facilitate the allocation of funds to areas that were experiencing high levels of violence against women. The biggest challenges lay in the prevention of domestic violence, including its normalization from an early age, and the administration of justice. The authorities had responded by creating specialized courts to hear cases of violence against women.

26. **Ms. Eternod Arámburu** (Mexico) said that the implementation of PROIGUALDAD, the National Programme on Equal Opportunity and Non-Discrimination against Women, was binding across all sectors. The work done under the Programme was monitored through its annual progress reports. Following an evaluation in 2015, 200 indicators had been incorporated into the Programme to facilitate follow-up action. Budget allocations for equality had increased from 700 million Mexican pesos (Mex$) in 2008 to Mex$ 4.8 billion in 2018.

27. **Mr. Sadi** said that it would be interesting to hear about any indicators that showed that the State party was fulfilling its Covenant obligation regarding the use of maximum available resources. He would welcome the delegation's assessment of how the potential termination of the North American Free Trade Agreement (NAFTA) and any steel tariffs that might be imposed by the United States of America might impact the State party. He wished to learn the reasons for the major difficulties the State party was experiencing as a result of the operations of drugs cartels. He would also welcome clarification on what motivated so many Mexicans to attempt to enter the United States of America illegally.

28. **Mr. Uprimny** (Country Task Force) said that he wished to hear whether the State party had any plans to adopt an overarching anti-discrimination law at the federal level. The redistributive effects of the tax reforms were unclear; indeed, the State party's Gini coefficient, as assessed by the Organization for Economic Cooperation and Development, was almost the same before and after tax and transfers. He would appreciate the delegation's comments regarding statistics showing that only 20 per cent of tax arrears were collected in the State party. The Committee had noted a number of reports that consultations with indigenous communities were not conducted in a proper manner. He wished to know whether there was a lack of willingness on the part of the authorities to apply the relevant regulations, and what the consequences were for anyone not respecting those regulations.

29. **Mr. Windfuhr** said that he would welcome data on cases of forced evictions carried out by federal, state or municipal police officers.

30. **Mr. Mancisidor de la Fuente** said that he would be grateful for additional information on cases of serious harassment or murder of human rights defenders, including how many had resulted in convictions, how many had gone unpunished and what sanctions had been imposed on the perpetrators. He would also appreciate details of any convictions of high-level officials for corruption.

The meeting was suspended at 4.30 p.m. and resumed at 4.35 p.m.

31. **Mr. Lara Cabrera** (Mexico) said that the Government could draw on a variety of indicators to illustrate its efforts to maximize available resources. For example, under the current Government, the education budget had been increased by over Mex$ 118 billion and health sector expenditure had risen by Mex$ 112 billion. Admittedly some budget lines had been cut, but the reductions did not necessarily undermine the State's ability to fulfil its obligations. More detailed data could be provided to the Committee subsequently.

32. **Ms. Bautista Valdez** (Mexico) said that it was too soon to comment with any authority on the likely impact of the renegotiation of NAFTA; the seventh round of negotiations had ended only recently and the eighth round would commence in April 2018.

33. **Mr. Ruiz Cabañas** (Mexico) said he wished to add that the Government was negotiating in good faith, in the interests of all Mexicans. It was confident that, given the strength of its industrial and tourism sectors and its diversified economy, Mexico could look forward to continued robust growth, whatever the outcome.

34. Giving a brief historical overview of the country's drug-related problems, he said that Mexico was a victim of its geographical location. Its neighbour to the North, besides providing relatively easy, unregulated access to weapons that could then be trafficked into Mexico, also offered the world's biggest market for cocaine and other illegal drugs, while its neighbours to the South produced a steady stream of drugs to supply that market. Over the course of the years, the belief that trafficking by land was less easy to control than trafficking by sea had led to the flow of drugs from South to North being increasingly diverted through Mexico, fuelling the development of powerful, large-scale cartels and an associated increase in drug-related violence.

35. The Government's response had been to focus its preventive and punitive efforts on those cartels. That policy had proved very successful and almost all the big cartels had been dismantled. However, the number of small, local-level cartels, which were less easily monitored and often more violent than their large-scale predecessors, had since multiplied. At the same time, increasingly liberal consumption policies in North America were providing a growing market for Mexican-produced cannabis. Mexico could not address the many factors contributing to its drug- and weapon-related problems alone, especially since many of them were either beyond its control or not of its making. Within Mexico, illegal drug use was in fact relatively low; alcohol and tobacco consumption were far greater problems. International cooperation was therefore vital.

36. Although migration to the North was a long-established phenomenon in Mexico, in the past five years the tide had turned. More people were now returning to Mexico than were leaving, yielding a negative net migration rate. The challenge the Government faced going forward was how to control immigration over its southern border, while at all times upholding its commitment to guarantee the human rights of all migrants who passed through Mexico.

37. **Ms. del Pino Pacheco** (Mexico) said that a federal law against discrimination had been enacted in 2003. That law expressly prohibited discrimination on a number of grounds, while leaving the door open for the addition of further protected characteristics. Although some states had been somewhat slow in passing parallel laws, by the end of 2017 all 32 federative entities had adopted anti-discrimination legislation. The challenge now was to turn the de jure situation into a de facto reality.

38. **Mr. Ruiz Cabañas** (Mexico) said that the delegation would provide information on the country's Gini coefficient and on alleged weaknesses in the tax collection system at the next meeting.

39. **Mr. Salazar Gil** (Mexico) said that the consultations held subsequent to an order of the Supreme Court in relation to the construction of the Independencia Aqueduct in Sonora state had been extremely complex, not least because the construction work had already been completed when the order had been issued. The fact that the Aqueduct would divert water from the Yaqui River, which flowed through the ancestral lands of the Yaqui Tribe, to the industrial city of Hermosillo had also been controversial. Even once the negotiations had finally begun, the Yaqui representatives had felt that they were still not receiving appropriate information, and heightened tensions had caused the talks to collapse. However, they had since resumed and were ongoing at the present time. The Ministry of Energy had undertaken to explore alternative possible sources of water for the city of Hermosillo, including the possibility of desalinating water drawn from the Pacific Ocean, and to work closely with the Office of the Deputy Minister for Human Rights to guarantee the rights of the Yaqui community and protect them against further threats and violence. The case had demonstrated the Government's commitment to ensuring prior consultation and protecting human rights defenders, including environmental activists and journalists, as well as both

the efficacy of the judicial mechanisms available to those who felt their rights had been violated and the key role of traditional bodies in representing the affected communities.

40. Under the new legislation regulating the hydrocarbons sector, prior consultation with indigenous communities was required at the tendering stage, before work began. Just one such consultation had been conducted to date, in relation to a proposed development on land traditionally occupied by the Zoque people. The tender documents had clearly indicated that no concessions would be awarded without the consent of the local communities. As of June 2017, only 2 of the 20 communities potentially affected had given their consent and the authorities had therefore decided to withdraw the land in question from the tender.

41. **Ms. Bautista Valdez** (Mexico) said that the Ministry of the Economy had drafted a methodological protocol for prior consultation in the mining sector that would be implemented in conjunction with the National Commission for the Development of Indigenous Peoples whenever a proposed project might potentially affect indigenous communities. The document complied with the standards set out in the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).

42. **Mr. Lara Cabrera** (Mexico) said that the central authorities, including the Attorney General's Office, worked closely with local-level prosecution services to prevent, investigate and punish acts of aggression against human rights defenders. That coordination had yielded successful outcomes to date, in terms of both investigations and convictions. He did not have access to data on specific cases but would endeavour to provide the Committee with the information requested as soon as possible.

43. **Mr. Sepúlveda Iguíniz** (Mexico) said that the Office of the Special Prosecutor for Offences committed against Freedom of Expression, which worked mainly to protect journalists, many of whom were also human rights defenders, had so far secured four convictions. Although that number was very small, it was important to note that the office's primary remit was protection and that it was not an investigative mechanism *stricto sensu*.

44. **Mr. Ruiz Cabañas** (Mexico), turning to the issue of corruption in high office, said that a number of former state governors were currently undergoing trial. Although the trials might prove lengthy, justice was being done: the charges were well substantiated and there would be no impunity. The Ministry of the Public Service kept a register of all public servants, at both federal and state level and irrespective of seniority, who had been charged and convicted. The delegation would be happy to provide the Committee with a copy of that list.

45. **Mr. Zerbini Ribeiro Leão** (Country Task Force) said that he would appreciate clarification as to the meaning of the terms used in annex 7 to the State party's replies to the list of issues (E/C.12/MEX/Q/5-6/Add.1), including, in particular, the definitions of "underemployed" and "unemployed". He would like to know what the State party was doing to achieve the labour market integration of persons falling within those categories and how successful its actions had been. Information about measures to combat the high unemployment rates evident among women and young people and an update on efforts to include persons with disabilities, especially those who were members of indigenous communities, would likewise be useful. He would also like to know whether the minimum wage was sufficient to cover the basic basket of goods; what was being done to redress wage disparities between the different regions of Mexico; and how the State party planned to improve the situation of the 57 per cent of the workforce reportedly employed in the informal sector who were thus deprived of the labour and social security rights that should be guaranteed to them in application of international standards.

46. Although the right of association was protected in the Constitution and Mexico was a party to various international treaties related to trade union rights, it appeared that secondary legislation limited the possibility of trade union membership. Was his understanding correct, and if so, why was that the case and what solutions were envisaged? He also wished to know what was being done to remove obstacles to trade union membership in the public sector, to combat violence against trade union leaders and to simplify the State's highly complex social security system. Since around 58.5 per cent of the population did not have access to social security because of their employment status, it

would also be interesting to have information about any non-contributory systems that might exist.

The meeting was suspended at 5.10 p.m. and resumed at 5.15 p.m.

47. **Mr. Arrellano Cuan** (Mexico) said that, of a total population of about 123 million people, Mexico had a working-age population of approximately 92 million and an economically active population of about 54 million, including 36 million wage earners, 11 million self-employed workers, 2.4 million employers, 2.5 million unpaid workers and others and 1.8 million unemployed. Almost 3.5 million formal jobs had been created since 2012 — a figure projected to reach 4 million by the end of 2018 — and more than 1.3 million of those had been taken by women. The National Employment Service had reported that women accounted for 40 per cent of the jobseekers it placed in work and that they tended to have higher levels of academic training.

48. According to June 2017 figures, the general minimum wage had risen by over 80 per cent since 2006 and by 46 per cent since 2012; purchasing power had risen by nearly 12 per cent over the previous six years. Under a recent reform, the minimum wage — which was traditionally used to quantify fines and other prices, meaning that minimum wage increases might cause inflation — had been de-indexed and replaced as a measurement unit. As at 1 January 2018, it stood at 88.36 pesos. The Mexican Social Security Institute (IMSS) had reported that the average basic wage subject to contributions was 349 pesos. Wage discrepancies between regions no longer existed: a single minimum wage had come into effect for the whole of the country and applied to all production sectors.

49. As a measure to combat unemployment and informal employment, the Ministry of Labour and Social Security had implemented the Employment Support Programme, under which 2.4 million young people had found work in the previous five years. Over the same period, the National Employment Service had helped over 25 million individuals, of whom 6.5 million had found employment, and had assisted 671,789 persons with disabilities and older adults, placing 266,000 in a job. The Service's activities included an employment exchange, employment fairs, an online employment portal, workshops for jobseekers, a national hotline and job centres. Moreover, it had identified the occupations in which it most often placed jobseekers, which had proved useful in efforts to match labour supply and demand. In the agriculture sector, the Government continued to implement the Mexico-Canada Seasonal Agricultural Workers Programme and the Minister of Labour and Social Security had recently held a meeting with federative entities to identify common violations of labourer's rights, resulting in a commitment to carry out inspections to protect those rights. The national inspection framework included specific protocols for the agriculture sector and on child labour, which had successfully reduced the number of children working in agriculture.

50. According to the National Institute of Statistics and Geography, the informal employment rate had edged down to 57.4 per cent, from about 59 per cent five years previously. Between 2013 and 2017, the Government had signed coordination agreements with the 32 federative entities and IMSS to carry out activities promoting labour formalization; it had introduced the Fiscal Incorporation Regime, which granted advantages to workers and employers who registered as taxpayers, and the Social Security Incorporation Regime to facilitate their enrolment with IMSS; it had also approved a tax incentive for employers and workers registering with IMSS and the Institute of the National Housing Fund for Workers. The Tax Administration Service had developed the My Accounts platform, which in 2016 had recorded 24 million transactions by taxpayers enrolled in the Fiscal Incorporation Regime.

51. To ensure respect for the rights of persons with disabilities, the Government not only performed inspections and checks, but encouraged corporations to voluntarily acquire distinctions such as the Inclusive Enterprise award, issued by the Ministry of Labour and Social Security to workplaces that applied good labour practices such as equal opportunities and non-discrimination. Since 2005, more than 3,000 workplaces had obtained that recognition, benefiting more than 1.2 million people.

52. In respect of trade union rights, the Government had implemented labour reforms that had resulted in a freer and more transparent regime for the election of trade union

leaders and the publication of a list of registered trade unions on the Internet. Trade unions and confederations worked closely with the Government and were seriously negotiating a secondary law for the implementation of the 2017 constitutional amendment on labour justice. Acts of violence against trade union leaders were likely to have been committed by individuals acting in a private capacity and had been referred to the competent justice authorities. Public sector workers employed by the national and state governments, although subject to separate constitutional provisions, had established active and transparent trade unions linked to their ministries.

53. **Mr. Garza García** (Mexico) said that social security in Mexico was fragmented, with different systems covering different categories of workers. The IMSS system, which covered private-sector workers, fulfilled three main functions: it collected contributions from employers, employees and the Government; it acted as an insurer, providing various benefits and levels of coverage under its compulsory and voluntary regimes; and it provided services for beneficiaries through its network of medical, care, training, recreational and other facilities. The other social security systems replicated that structure.

54. **Mr. Chemor Ruiz** (Mexico) said that Seguro Popular, also known as the People's Health Insurance Scheme, was responsible for the 53.5 million Mexicans who were not enrolled in a social security system. The Scheme comprised three portfolios, the first of which provided primary and secondary health-care coverage for 1,807 diseases. The second portfolio, the Fund for Protection against Catastrophic Expenses, provided coverage for 65 more serious diseases; while the third, known as the Twenty-First Century Health-Care Programme, covered all sickness among children under the age of 5 years. Treatment was provided at over 11,000 accredited medical facilities throughout the country. The various social security systems made an effort to coordinate their activities: amendments to the General Health Act allowed for the exchange of services between the different systems. The People's Health Insurance Scheme was working intensively with IMSS and the Institute of Social Security and Social Services for State Employees on an obstetric care agreement so that in an emergency, pregnant mothers could give birth in any institution.

55. **Mr. Garza García** (Mexico) said that the first federal non-contributory social pension scheme had been introduced in rural areas in 2007. Coverage had since been expanded to the whole country and in 2013 the qualifying age had been reduced from 70 to 65 years. The pension was worth 580 pesos per month and was granted to older persons who did not have a pension or whose contributory pension gave them less than 1,092 pesos per month. The scheme had boosted pension coverage from 57 per cent of the population aged 65 and above in 2012 to 71 per cent in 2014.

56. **Mr. Dasgupta** (Country Task Force), noting that steps had been taken to address the problem of street children and the number of children who had benefited from those measures, said he was interested to know if a survey had been conducted to determine how many children were still on the streets and in need of assistance. What further measures were planned to address the problem?

57. The Committee recognized the advances achieved under the PROSPERA programme, but was concerned that 11.4 million people — approximately 10 per cent of the population — still lived in conditions of absolute poverty. He therefore wondered how the State party proposed to tackle persistent poverty, for example through measures supplementary to the PROSPERA programme. Moreover, considering that the National Crusade against Hunger had only provided assistance to about 77 per cent of its target population, leaving a significant proportion without any assistance, he asked what further steps were being taken to eliminate hunger. Despite steady economic growth over many decades, the country's wide income disparities were reflected in its figures on undernourishment and malnutrition: 1.5 million children under the age of 5 suffered from undernourishment, while 70 per cent of adults were obese. How did the State party intend to tackle those problems?

58. In regard to the right to an adequate standard of living, he was concerned that some 5,000 people in the state of Chiapas had been targeted by armed attacks that had driven them from their homes. He asked what measures were being taken to remedy the harm done to their livelihoods and to ensure the non-repetition of human rights violations.

59. The Committee acknowledged that most of the population had access to water and infrastructure; however, the existence of infrastructure did not equate to delivery of services. Water supplies, particularly in remote rural and poor urban areas, were sporadic, inadequate in quantity and unacceptable in quality, while tariffs were set by municipalities without regard for affordability. Accordingly, he asked what steps were envisaged to bridge the gap between wealthy and poor localities and to ensure affordable safe drinking water and sanitation services for all. Another problem was the poor maintenance of water supply and waste treatment infrastructure, which sometimes led to the contamination of water supplies. He would therefore welcome an explanation of why the budget provision for sanitation had been cut from Mex$ 17.6 million in 2012 to Mex$ 5.6 million in 2017.

60. Lastly, in respect of the right to health, he noted that abortion was either prohibited or severely restricted in most states — except in cases of rape — with dramatic consequences for maternal mortality. What steps were being contemplated to ensure that women enjoyed the right to decide on the termination of pregnancy?

61. **Mr. De Schutter** said that an assessment of the National Crusade against Hunger by the Superior Audit Office had concluded that only 61 out of 90 federal programmes planned under that initiative were effectively operating, with problems reported in respect of their coordination and targeting. Given that similar issues had been identified in other programmes, he asked whether the Government's initiatives incorporated a rights-based approach, with clearly identified beneficiaries who could claim compensation if they were denied their rights. Such an approach would help address problems such as lack of inclusiveness, discrimination and mistargeting resulting from corruption.

62. Furthermore, considering that the increased consumption of processed or ultra-processed food seemed to have contributed to the rise in obesity, he asked how the State ensured that the private companies participating in the National Crusade did not promote such foods. The introduction in 2014 of a tax on sugar-sweetened beverages and energy-dense foods was an excellent initiative that had significantly reduced consumption, particularly in poorer households. However, he was concerned that only a small percentage of the US$ 500 million collected each year seemed to have been invested in the programme of installing drinking fountains in schools, as originally intended. Had the Government kept its promise to use the proceeds of the tax to improve access to drinking water in schools?

63. In the light of information received about the implementation of the International Code of Marketing of Breast-milk Substitutes of the World Health Organization, the Committee wished to know whether the Government considered that corporate self-regulation, notably the adoption of an ethical code in 2016, provided adequate protection against the marketing of breast-milk substitutes and baby foods. Were mechanisms such as sanctions in place to ensure the adequate enforcement of the Code? Lastly, considering that some companies had delivered breast-milk substitutes and infant formulas after the earthquakes of September 2017, he asked whether such deliveries were authorized in times of emergency and, if so, whether such authorization was compatible with the International Code.

The meeting rose at 6 p.m.